

CHARGE SHEET

I. PERSONAL DATA				
1. NAME OF ACCUSED (Last, First, MI)		2. SSN	3. GRADE OR RANK	4. PAY GRADE
QUINTAL, Emmitt R.		[REDACTED]	CPL	E-4
5. UNIT OR ORGANIZATION			6. CURRENT SERVICE	
B Company, 2d Battalion, 1st Infantry Regiment, 2d Brigade (SBCT), 2d Infantry Division, Joint Base Lewis-McChord, Washington, 98433			a. INITIAL DATE	b. TERM
			09 DEC 2008	5 Years
7. PAY PER MONTH		8. NATURE OF RESTRAINT OF ACCUSED		9. DATE(S) IMPOSED
a. BASIC	b. SEA/FOREIGN DUTY	c. TOTAL	None.	N/A.
\$2,094.00	N/A	\$2,194.00		

II. CHARGES AND SPECIFICATIONS

10. CHARGE I: VIOLATION OF THE UCMJ, ARTICLE 81

THE SPECIFICATION: In that Corporal (E-4) Emmitt R. Quintal, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, on or about 5 May 2010, conspire with Corporal (E-4) Jeremy N. Morlock, Staff Sergeant (E-6) David D. Bram, Staff Sergeant (E-6) Calvin R. Gibbs, Specialist (E-4) Corey A. Moore, Sergeant (E-5) Darren N. Jones, and Corporal (E-4) Emmitt R. Quintal to commit an offense under the Uniform Code of Military Justice, to wit: assault consummated by a battery of [REDACTED] and in order to effect the object of the conspiracy the said Corporal (E-4) Emmitt R. Quintal, Specialist (E-4) Adam W. Kelly, Staff Sergeant (E-6) Calvin R. Gibbs, Corporal (E-4) Jeremy N. Morlock, Staff Sergeant (E-6) David D. Bram, Specialist (E-4) Corey A. Moore, and Sergeant (E-5) Darren N. Jones did strike [REDACTED] on the body with their hands and feet.

CHARGE II: VIOLATION OF THE UCMJ, ARTICLE 134

THE SPECIFICATION: In that Corporal (E-4) Emmitt R. Quintal, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, on or about 5 May 2010, wrongfully endeavor to impede an investigation in the cases of U.S. v. Corporal (E-4) Emmitt R. Quintal, U.S. v. Corporal (E-4) Jeremy N. Morlock, U.S. v. Sergeant (E-5) Darren N. Jones, U.S. v. Specialist (E-4) Corey A. Moore, U.S. v. Specialist (E-4) Adam W. Kelly, and other suspected hashish users by kicking [REDACTED] in the body with his feet which conduct was prejudicial to the good order and discipline in the armed forces and was of a nature to bring discredit upon the armed forces.

(SEE CONTINUATION SHEET)

III. PREFERRAL		
11a. NAME OF ACCUSER (Last, First, MI)	b. GRADE	c. ORGANIZATION OF ACCUSER
[REDACTED]	O-3	B Co, 2-1 IN BN, 2/2 ID SBCT
d. SIGNATURE OF ACCUSER	e. DATE	
[REDACTED]	27 Aug 2010	

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above named accuser this 27th day of August, 2010, and signed the foregoing charges and specifications under oath that he is a person subject to the Uniform Code of Military Justice and that he either has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his knowledge and belief.

HHC, BSTB, 2/2 ID (SBCT)

Organization of Officer

O-3

Grade

Article 136, UCMJ

Official Capacity to Administer Oath

(See R.C.M. 307(b) - must be a commissioned officer)

12.

On 24 Aug, 2010, the accused was informed of the charges against him and of the name of the accuser known to me (See R.C.M. 308 (a)). (See R.C.M. 308 if notification cannot be made.)

[Redacted]
Typed Name of Immediate Commander

B Co, 2-1 IN BN, 2/2 ID SBCT

Organization of Immediate Commander

O-3

Grade

[Redacted]
Signature

IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY

13.

The sworn charges were received at _____ hours, _____ 2010, at

HQ, 2-1 IN BN, 2/2 ID (SBCT)

Designation of Command or

Joint Base Lewis-McChord, Washington 98433

Officer Exercising Summary Court-Martial Jurisdiction (See R.C.M. 403)

FOR THE ¹

COMMANDING

Official Capacity of Officer Signing

[Redacted]
Typed Name of Officer

O-5

Grade

[Redacted]
Signature

V. REFERRAL: SERVICE OF CHARGES

14a. DESIGNATION OF COMMAND OF CONVENING AUTHORITY

b. PLACE

c. DATE

Referred for trial to the

Court-martial convened by

20

, subject to the following instructions:²

By

of

Command or Order

[Redacted]
Typed Name of Officer

Official Capacity of Officer Signing

[Redacted]
Grade

[Redacted]
Signature

15.

On _____, 20____, I (caused to be) served a copy hereof on (each of) the above named accused.

[Redacted]
Typed Name of Trial Counsel

O-3

Grade or Rank of Trial Counsel

[Redacted]
Signature

FOOTNOTES: 1 — When an appropriate commander signs personally, inapplicable words are stricken.
2 — See R.C.M. 601(e) concerning instructions. If none, so state.

12.

On _____, 2006, the accused was informed of the charges against him/her and of the name(s) of the accuser(s) known to me (See R.C.M. 308 (a)). (See R.C.M. 308 if notification cannot be made.)

Typed Name of Immediate Commander

B Co, 2-1 IN, 2/2 ID (SBCT)

Organization of Immediate Commander

O-3

Grade

Signature

IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY

13.

The sworn charges were received at 1400 hours, 25 August 20 10 at HQ, 2-1 IN, 2/2 ID
Designation of Command or

(SBCT), JBLM, WA 98433

Officer Exercising Summary Court-Martial Jurisdiction (See R.C.M. 403)

FOR THE ¹ _____

COMMANDING

Official Capacity of Officer Signing

Typed Name of Officer

SERVICE OF CHARGES

14a. DESIGNATION OF COMMAND OF CONVENING AUTHORITY

b. PLACE

c. DATE

Referred for trial to the _____ court-martial convened by _____

_____, 20 _____, subject to the following instructions:² _____

By _____ of _____

Command or Order

Typed Name of Officer

Official Capacity of Officer Signing

Grade

Signature

15.

On _____, 20 _____, I (caused to be) served a copy hereof on (each of) the above named accused.

Typed Name of Trial Counsel

O-3

Grade or Rank of Trial Counsel

Signature

FOOTNOTES: 1 — When an appropriate commander signs personally, inapplicable words are stricken.
2 — See R.C.M. 601(e) concerning instructions. If none, so state.

CONTINUATION SHEET, DD FORM 458, PERTAINING TO QUNITAL, Emmitt, R., [REDACTED], B Company, 2d Battalion, 1st Infantry Regiment, 2d Brigade (SBCT), 2d Infantry Division, Joint Base Lewis-McChord, Washington, 98344

Item 10 (Cont'd)

CHARGE III: VIOLATION OF THE UCMJ, ARTICLE 128

THE SPECIFICATION: In that Corporal (E-4) Emmitt R. Quintal, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, on or about 5 May 2010, unlawfully strike [REDACTED] on the body with his hands and feet and spit in his face.

CHARGE IV: VIOLATION OF THE UCMJ, ARTICLE 112a

THE SPECIFICATION: In that Corporal (E-4) Emmitt R. Quintal, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, on divers occasions between on or about 1 September 2009 and on or about 11 May 2010, wrongfully use hashish a Schedule I controlled substance while receiving special pay under 37 U.S.C. Section 310.

CHARGE V: VIOLATION OF THE UCMJ, ARTICLE 92

THE SPECIFICATION: In that Corporal (E-4) Emmitt R. Quintal, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, on divers occasion between on or about 1 September 2009 and on or about 15 May 2010, violate a lawful general order, to wit: paragraph 2f, CENTCOM General Order No. 1B, dated 13 March 2006, by wrongfully photographing and possessing visual images of human casualties.